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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL LETTER TO THE UNITED STATES

ATTORNEY 'S DOCKET NUMBER

DESIGNATED/ELECTED OFFICE (DO/EO/US)			07130.0003.PCUS00	
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371			U.S. APPLICATION 10.25 known, see 37 CFR 1.5)	
INTERNATIONAL APPLICATION NO.		INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED	
PCT/DE2003/004118 TITLE OF INVENTION		December 19. 2003	January 9, 2003	
Cabriolet Vehicle				
APPLICANT(S) FOR DO/EO/US				
EICHHOLZ Stefan, THEUERKAUF Jurgen				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
1.				
2	This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.			
3.	This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.			
4.	The US has been elected (Article 31).			
5.	A copy of the International Application as filed (35 U.S.C. 371(c)(2))			
	a. is attached hereto (required only if not communicated by the International Bureau).			
	b. An has been communicated by the International Bureau.			
	c. is not required, as the application was filed in the United States Receiving Office (RO/US).			
6.	An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).			
	a. is attached hereto.			
	b. has been previously submitted under 35 U.S.C. 154(d)(4).			
7. 🗌	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))			
	a. are attached hereto (required only if not communicated by the International Bureau).			
	b. have been communicated by the International Bureau.			
	c. have not been made; however, the time limit for making such amendments has NOT expired.			
	d. have not been made and will not be made.			
8. 🗌	An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).			
9.	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).			
10. 🗌	An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).			
Item	Items 11 to 20 below concern document(s) or information included:			
11. 🔲	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.			
12. 🔲	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.			
13. 🗌	A preliminary amendment.			
14. 🔲	An Application Data Sheet under 37 CFR 1.76.			
15. 🗌	A substitute specification.			
16. 🗌	A power of attorney and/or change of address letter.			
17. 🗌	A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.			
18. 🔲	A second copy of the published International Application under 35 U.S.C. 154(d)(4).			
19. 🗌	A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).			
20 🔯	Other items or information: IPER with Appeaes-International Publication WO 2004/062951 with ISR: PCT/IPEA/416: PCT/IB/308			

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S.

Under the Paperwork Reduction Act of 1996, no persons are required to respond to a collection of information unless it displays a valid OMB control number. U.S. APPLICATION NO (if known, pec 37 FR 1.5) INTERNATIONAL APPLICATION NO. ATTORNEY'S DOCKET NUMBER PCT/DE2003/004118 07130.0003.PCUS00 **CALCULATIONS** PTO USE ONLY The following fees are submitted: 300 21. 🖂 Basic national fee.....\$300 22. 🛛 Examination fee If International preliminary examination report prepared by USPTO and al aims satisfy provisions of \$ 200 PCT Article 33(1)-(4) ......\$100 All other situations.....\$200 23. Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....\$100 International Search Report prepared and provided to the Office.....\$400 500 .....\$500 All other situations..... TOTAL OF 21, 22 and 23 = 1,000.00 Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. Number of each additional 50 or fraction RATE Total Sheets Extra sheets thereof (round up to a whole number) -100 =x \$250 Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest \$ claimed priority date (37 CFR 1.492(h)). RATE NUMBER EXTRA \$ **CLAIMS** NUMBER FILED \$ \$50 Total daims X -20 =\$ X \$200 Independent daims -3 = \$ MULTIPLE DEPENDENT CLAIM(S) (if applicable) \$360 \$ **TOTAL OF ABOVE CALCULATIONS** \$ Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2. **SUBTOTAL** \$ Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest \$ claimed priority date (37 CFR 1.492(i)). \$ **TOTAL NATIONAL FEE** = Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied \$ by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property TOTAL FEES ENCLOSED = 1,000.00 Amount to be \$ refunded: Amount to be \$ charged: A check in the amount of \$ \_\_\_\_\_ to cover the above fees is enclosed. Please charge my Deposit Account No. 08-3038 in the amount of \$ 1,000.00 to cover the above fees. h A duplicate copy of this sheet is enclosed. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit  $\boxtimes$ Account No. <u>08-3038</u> . A duplicate copy of this sheet is enclosed. Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not d. be included on this form. Provide credit card information and authorization on PTO-2038. NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met/a petition to revive 237 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. SEND ALL CORRESPONDENCE TO: Michael J. Bell, Esq. SIGNATURE Howrey Simon Arnold & White, LLP. 2941 Fairview Park Drive, Box 7 Michael J. Bel

FORM PTO-1390 (REV. 10-2004)

Falls Church, VA 22042

Facsimile (703) 336-6950

Telephone: (202) 783-0800

NAME

39.604

REGISTRATION NUMBER



June 30, 2005

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10,6541314

Washington, DC 20004-2402 Phone 202.783.0800 Fax 202.383.6610 A Limited Liability Partnership

MICHAEL J. BELL PARTNER 202.383.6500 bellm@howrey.com

Re: U.S. National Phase International Application No. PCT/DE2003/004118

International Filing Date: December 19, 2003 Priority: January 9, 2003 (DE 10300342)

For: Cabriolet Vehicle

Inventor: Stefan EICHHOLZ, at al. Our Ref: 07130.0003.PCUS00

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

- 1. Transmittal Letter to the United States Designated/Elected Office, Form PTO-1390 (in duplicate);
- 2. A copy of PCT Publication WO 2004/062951 A1 with ISR;
- 3. A copy of IPER with Annexes;
- 4. A copy of PCT/IB/308;
- 5. A copy of PCT/IPEA/416; and
- 6. Two return postcards.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge the following fees to our Deposit Account No. 08-3038 referencing docket number 07130.0003.PCUS00.

\$1,000.00 Filing Fee for patent application

A duplicate copy of this letter is enclosed.

Michael J. Bell (Reg. No. 39,604)

Respectfully submitted.

**Enclosures**